

LAW OFFICES
Hovey Williams LLP
A LIMITED LIABILITY PARTNERSHIP
OF PROFESSIONAL CORPORATIONS

ROBERT D. HOVEY, P. C.
WARREN N. WILLIAMS, P. C.
STEPHEN D. TIMMONS, P. C.
JOHN M. COLLINS, P. C.
THOMAS H. VAN HOOZER, P. C.
THOMAS B. LUEBBERING, P. C.
ANDREW G. COLOMBO, P. C.
SCOTT R. BROWN, P. C.
TRACY L. BORNMAN, P. C.

ALLEN W. RICHMOND, OF COUNSEL
(ADMITTED IN OKLAHOMA ONLY)
MICHAEL ELDEIN, OF COUNSEL

ESTABLISHED 1929
INTELLECTUAL PROPERTY LAW
U.S. & FOREIGN PATENTS,
TRADEMARKS, COPYRIGHTS
& UNFAIR COMPETITION CAUSES

2405 GRAND BOULEVARD
SUITE 400
KANSAS CITY, MO. 64108-2519

TELEPHONE 816-474-9050
FACSIMILE 816-474-9057
www.hoveywilliams.com

JILL D. SINGER
TRACEY S. TRUITT
DAVID V. AYRES
GERHARD P. SHIPLEY
KAMERON D. KELLY
JASON C. GORDEN
GREGORY J. SKOCH
LESLIE L. LAWSON
JENNIFER C. BAILEY
WILLIAM J. JACOB

DAVID TERRELL, PATENT AGENT

FAXED COPY RECEIVED

MAY 21 2003

TECHNOLOGY CENTER 3700

Date: May 21, 2003

Total Number of Pages Including Cover Page: 9 Pages

To: Assistant Commissioner for Patents

ATTN: Examiner Loan H. Thanh

RE: Application of: FLEEMAN, Brian J.
Serial Number: 09/726,841
Filed: November 30, 2000
Title: APPARATUS AND METHOD FOR SELECTIVELY POSITIONING OF
FEEDING TUBES
Docket No.: 30697

Telecopy Number: 703/746-4881

CERTIFICATE OF TELEFACSIMILE TRANSMISSION

I hereby certify that this After Final Amendment and Response is being transmitted via telefacsimile to the United States Patent and Trademark Office, Fax Number 703/746-4881 on the date shown below.


Linda L. Aylward

May 21, 2003
Date

PLEASE CALL THE ABOVE NOTED NUMBER IF YOU DO NOT RECEIVE ALL PAGES.

#11/C (NE)
29
7-24-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FIXED COPY RECEIVED

Application of:

FLEEMAN, Brian J.

Serial No. : 09/726,841

Filed: November 30, 2000

APPARATUS AND METHOD FOR
SELECTIVELY POSITIONING OF
FEEDING TUBES

Docket No. 30697

MAY 21 2003

TECHNOLOGY CENTER 3700

Group Art Unit No. 3763

Examiner: L. Thanh

not approved
for entry
5/15/03

Commissioner of Patents
Alexandra, VA 22313-1450

Sir:

AFTER FINAL AMENDMENT AND RESPONSE

In response to the office action dated March 12, 2003, amendment and reconsideration of the above application is requested.

Claims:

Please cancel claims 4, 5, 11, 12, and 15 without prejudice.

Please amend the following claim:

7. (Amended) A feeding tube and CO₂ detecting machine combination comprising:
an elongated patient feeding tube presenting a distal end adapted for insertion into a patient and a proximal portion designed to remain outside the patient; and
a CO₂ detecting machine operably coupled with said proximal portion of said tube so that the presence of CO₂ adjacent said distal end may be detected when the tube is